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Early New England Court Records

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Early New England Court Records

A Bibliography of Published Materials

ALTHOUGH many records of Colonial courts still remain unpublished, a large amount of information about the work of these courts is now accessible in printed books. Forty or fifty years ago, distinguished scholars described our ancestors as living under a "rude, untechnical popular law," with the addition of regulations from the Old Testament but uninfluenced by the common law of England. Subsequently published Colonial court records show that this is very far from being true, except possibly during a few troubled years after the first settlers arrived in a colony. The legal rules for governing transactions and the procedure for settling disputes were much more mature than scholars used to think.

Many problems remain open for exploration. We want, for instance, to know more about the precise relations between what Colonial judges did and what English judges were doing at the same time. How far is it true that the thirteen colonies had thirteen legal systems and not just a single variety of the English common law? Why did Colonial courts abstain almost entirely from writing judicial opinions to explain the reasons for their decisions? How much did the parties to a litigation employ representatives to present the case in court, and just how did these representatives transform themselves into what we should call lawyers, at a rate which varied greatly from colony to colony? Further study of the printed materials we already have, will, I believe, enable us to reach satisfactory solutions of such problems. The manuscripts still awaiting publication are unlikely to reveal startling novel aspects of the work of Colonial courts. No doubt, as new records are printed, they will clear up many doubtful points and supply valuable fresh information about individual disputes and bits of social and economic history. But for the operation of the main forces which shaped Colonial law, we have what we need in print now and future books will only give us more of the same.

In addition to the interest of published Colonial records to lawyers, they have great value for historians, especially those

who are seeking to learn how the colonists lived, acquired and managed property, and engaged in quarrels. An old author or newspaper often tells us disappointingly little about some of the most important features of human conduct at the time. The writer knew that such matters would be taken for granted by those for whom he was writing. In an old lawsuit, however, much less was taken for granted. The facts of everyday life had to be presented in the complaint or the testimony of witnesses, so as to let the judges know the nature of the dispute.

It is time for us to take stock of what we now have in records of Colonial courts. That is the purpose of the very useful task which Mr. William Jeffrey, Jr., Assistant Law Librarian at Yale, has just finished. Hitherto it has been hard for scholars to find all the books containing court records in a particular colony. A glance at this bibliography will show cases appearing in unexpected places. And books which deal specifically with court records have a confusing variety of titles. Hence Professor Mark DeW. Howe and I have long cherished the hope that a bibliography could be compiled so as to enable anybody investigating the law of a particular colony to get a complete list of all the printed court records of that colony. Also it was desirable to carry on the job beyond Independence to 1800. This plan would close the gap until the time when law reports were getting published in most of the original states.

Fortunately, we found in Mr. Jeffrey a man who was eager and competent to do this work. He began with the New England colonies, all of which appear in the present publication.

The task ought not to stop with New England. We hope very much that Mr. Jeffrey will be able to compile one or more similar bibliographies for the Middle Colonies and the Southern Colonies. We look forward to the publication of a single book listing the court records in all the colonies and states before 1800.

Errors and omissions are inevitable in any bibliography. We shall be very grateful to readers who will send corrections and additions to Mr. Jeffrey or Mr. Howe. Their suggestions will be carefully considered and will add much to the value of the eventual book.

Zechariah Chafee, Jr.

Connecticut

1. The Public Records of the Colony of Connecticut.

Transcribed and published, (in accordance with a resolution of the General Assembly,) under the supervision of the Secretary of State, with occasional notes. . . . by J. Hammond Trumbull (vols. 1–3) and Charles Jeremy Hoadly (vols. 4–15). Hartford, 1850–1890.

Vol. 1	1636–1665	viii + 604 pp.	(1850)
Vol. 2	1665–1678	iv + 610 pp.	(1852)
Vol. 3	May, 1678–June, 1689	xiv + 538 pp.	(1859)
Vol. 4	August, 1689–May, 1706	vi + 574 pp.	(1868)
Vol. 5	October, 1706–October, 1716	v + 612 pp.	(1870)
Vol. 6	May, 1717–October, 1725	iv + 602 pp.	(1872)
Vol. 7	May, 1726–May, 1735	iv + 610 pp.	(1873)
Vol. 8	October, 1735–October, 1743	ii + 604 pp.	(1874)
Vol. 9	May, 1744–November, 1750	ii + 621 pp.	(1876)
Vol. 10	May, 1751–February, 1757	ii + 652 pp.	(1877)
Vol. 11	May, 1757–March, 1762	ii + 662 pp.	(1880)
Vol. 12	May, 1762–October, 1767	ii + 698 pp.	(1881)
Vol. 13	May, 1768–May, 1772	ii + 689 pp.	(1885)
Vol. 14	October, 1772–April, 1775	ii + 534 pp.	(1887)
Vol. 15	May, 1775–June, 1776	iv + 617 pp.	(1890)

The principal item of interest for this bibliography is *Records of the General and Particular Courts, from April 1636 to December 1649*, printed in vol. I, pp. 1–203. The entries of the Particular Court are mainly mere clerk's entries, giving few details of the litigations. Each of the series has a separate index; in a few cases the index of names is separated from the subject index.

2. The Public Records of the State of Connecticut.

Published in accordance with a resolution of the General Assembly by Charles Jeremy Hoadly (vols. 1–3), Leonard Woods Labaree (vols. 4–8), and Albert E. Van Dusen (vols. 9–). Hartford: Case, Lockwood & Brainard Company, 1894–).

Vol. 1	1776–1778	iv + 653 pp.	(1894)
Vol. 2	1778–1780	iv + 607 pp.	(1895)
Vol. 3	1780–1781	ii + 625 pp.	(1922)
Vol. 4	1782	ii + 341 pp.	(1942)
Vol. 5	1783–1784	xi + 356 pp.	(1943)
Vol. 6	1785–1789	xv + 642 pp.	(1945)
Vol. 7	1789–1792	xviii + 647 pp.	(1948)
Vol. 8	1793–1796	xxviii + 605 pp.	(1951)
Vol. 9	1797–1799	xviii + 526 pp.	(1953)

Listed here as continuing the *Colony Records*. The volumes, however, do

not contain judicial records, being restricted to the acts and proceedings of the legislature at its sessions.

3. Records of the Colony and Plantation of New Haven, from 1638 to 1649.

Transcribed and edited . . . with occasional notes and an appendix by Charles Jeremy Hoadly. Hartford: Case, Tiffany & Company, 1857. viii + 547 pp.

Shows the New Haven court exercising commingled administrative, executive and judicial functions, dealing with the most diversified assortment of cases. There are no file papers, arguments of counsel, or opinions by the court, but in many instances the cases are set forth in a rather full and circumstantial fashion. The index is very largely by names, with a minimum of subject entries.

4. Records of the Colony or Jurisdiction of New Haven, from May, 1653, to the Union [1665], together with the New Haven Code of 1656.

Transcribed and edited . . . by Charles Jeremy Hoadly. Hartford: Case, Lockwood & Company, 1858. iv + 626 pp.

A useful continuation of the *Records* (*1638–1649*). There are more frequent references to actions by name ("defamation," "case"), including probate cases, and several instances of cases reported by parties' names (e.g., *Town of Milford* v. *Henry Tomlinson* [1656], pp. 182 *et seq.*) The index is very largely by names, with a minimum of subject entries. "The editor has taken the liberty to omit a few passages, indicated in notes, containing details of evidence in criminal cases, for which he trusts no apology is needed." (*Preface*, p. iii.)

5. New Haven Town Records, 1649–1684.

[New Haven Colony Historical Society's *Ancient Town Records* Series] Edited by Franklin Bowditch Dexter. New Haven: Printed for the Society, 1917–1919.

Vol. 1 1649–1662 ii + 548 pp.
Vol. 2 1662–1684 ii + 457 pp.

Many of the entries set forth the circumstances in some detail, but there are no arguments or opinions. The index is chiefly of names, with some subject entries.

6. Records of the Particular Court of Connecticut, 1639–1663.

Published by the Connecticut Historical Society, and the Society of Colonial Wars in the State of Connecticut. [C.H.S. *Collections*, vol. 22] Hartford, 1928. x + 302 pp.

Reprints the records of 1639–1649 published in vol. 1 of the *Colony Records* (above, No. 1). Largely clerk's entries; no arguments of counsel or formal opinions by the court. The index is one of names, with very few subject entries.

7. Records of the Particular Court of the Colony of Connecticut, Administration of Sir Edmond Andros, Royal Governor, 1687–1688.
Edited by A[nnie] E[liot] T[rumbull]. Privately printed [by Case, Lockwood & Brainard Company] in Hartford, 1935. 43 pp.

Chiefly clerk's entries; no arguments of counsel or court opinions. There are only five very brief editor's notes; no index.

8. The Superior Court Diary of William Samuel Johnson, 1772–1773, with appropriate records and file papers of the Superior Court of the Colony of Connecticut for the Terms, December 1772, through March 1773.
Edited by John T. Farrell . . . Washington: The American Historical Association, 1942. [*American Legal Records,* Vol. 4] lxv + 293 pp.

The editor devotes sections of his Introduction to discussions of the court system, procedure and civil actions, criminal process, and Johnson and his contemporaries. There is a table of cases, and an index of names and subjects.

9. [Kirby] Reports of Cases Adjudged in the Superior Court of the State of Connecticut. From the year 1785, to May 1788. with some Determinations in the Supreme Court of Errors. By Ephraim Kirby, Esq. Litchfield: Printed by Collins & Adams, 1789. viii + 456 [486] pp.

The first volume of American law reports ever published.
"Subscribers' names": pp. [483–486]

10. [Kirby] Reports of Cases Adjudged in the Superior Court of the State of Connecticut. By Ephraim Kirby, Esquire. Vol. 2. Published by the Acorn Club of Connecticut, 1933. ix + 53 pp.

11. [Root] Reports of Cases Adjudged in the Superior Court and Supreme Court of Errors from July A.D. 1789. to June, A.D. 1793, with a variety of cases anterior to that period, prefaced with observations upon the Government and Laws of Connecticut . . . By Jesse Root, A Judge of the Superior Court. Vol I. Hartford: Printed by Hudson & Goodwin, 1798. 584 pp.

The "variety of cases anterior to that period" includes cases from the years 1764 to 1789.
"Subscribers' Names" are listed at the end of the volume.

12. [Root] Reports of Cases Adjudged in the Superior Court and in the Supreme Court of Errors, in the State of Connecticut,

from June A.D. 1793 to January, A.D. 1798; being four years and a half, or, nine circuits. By Jesse Root, A Judge of the Superior Court. Vol. II. Hartford: Printed by Hudson & Goodwin, 1802. vi + 536 pp.

13. **A Digest of the Early Connecticut Probate Records.** Compiled by Charles William Manwaring. Hartford, Connecticut: R. S. Peck & Company, 1904–1906.

Vol. 1	Hartford District, 1635–1700	xxxii + 669 pp.
Vol. 2	Hartford District, 1700–1729	ii + 711 pp.
Vol. 3	Hartford District, 1729–1750	xx + 794 pp.

14. **Collections** of the Connecticut Historical Society, Hartford, 1874–

The Wyllys Papers: Correspondence and Documents chiefly of Descendants of Governor George Wyllys of Connecticut; 1590–1796.

Notes of a special county court at Hartford, August 27, 1667
[*Collections*, vol. 21, pp. 164–168 (1924)]
County courts held at New Haven, November 13, 1667 and June 10, 1668
[*ibid.*, pp. 171–173, 174–177]

Bulkeley, Gershom. WILL AND DOOM, or the Miseries of Connecticut by and under an Usurped and Arbitrary Power (1692), [C.H.S. *Collections*, vol. 3]

The case of Mercy Brown, in the Court of Assistants, May 8, 1693, is noted at p. 233.

County courts held at Hartford, May 20, 1689, September, 1690, November 28, 1690, and, by adjournment, December 7, 1692, are noted at pp. 225, 207, 210, 264–266.

A court of oyer and terminer, at Fairfield, September 14, 1692, is referred to at pp. 234–235.

The Talcott Papers: Correspondence and Documents during Joseph Talcott's Governorship of the Colony of Connecticut, 1724–1741 (edited by Mary Kingsbury Talcott; vol. 2 [1737–1741])

Memoranda of A court of pleas held att Hartford, March 7, 1699/1700, a Court of Probates held at Hartford, July 5, 1714, and a Court of Probates, Hartford &c., May 3, 1727
[*Collections*, vol. 5, p. 292 (1896)]

The Fitch Papers: Correspondence and Documents during Thomas Fitch's Governorship of the Colony of Connecticut, 1754–1766. Vol. I: May, 1754–December, 1758.

A Vice-Admiralty Court, October 25, 1754.
[*Collections*, vol. 17, pp. 45–46 (1918)]

The Pitkin Papers: Correspondence and Documents during William Pitkin's Governorship of the Colony of Connecticut, 1766–1769.

"Substance of a Conference held between the Superior Court of the Colony of Connecticut & Duncan Stewart Esqr Coll^r of his Majestys Customs at the Port of New London about Writts of Assistants the 31st March 1769," *is published in*:
Collections, vol. 19, pp. 184–187 (1921)

Maine

1. Province and Court Records of Maine.
Edited by Charles Thornton Libby (vols. 1–2) and Robert E. Moody (vol. 3). Portland: Maine Historical Society, 1928–1947.

Vol. 1	1636–1668	lxii + 352 pp.	(1928)
Vol. 2	1653–1679	xlvii + 559 pp.	(1931)
Vol. 3	1680–1692	lix + 330 pp.	(1947)

"The title of this [series] is sacrificed to the utilities of cataloging and citation; an apt title for its mixed contents, (starting with the records of the Province of New Somersetshire), would have been too involved." (*Preface*, vol. 1, p. vii)
Each volume has a useful preface in which there are discussions of the history of the records printed, the persons who made the records, and many aspects of the legal and political history of the period. Vols. 1 and 2 have separate indexes of names and subjects; vol. 3 has a single general index of names and subjects.
"Vols. 1 and 2 include the probate records before 1680, the Recorder then not having kept separate probate books; vol. 3, except for some entries of administrations granted, does not contain the probate records for the period covered, i.e., 1680–1692." (*Preface*, vol. 3, p. vii)
Vol. 2 contains records of the York County Court, 1653–1679, and the Court of Associates, 1658–1679.
A few scraps from these records were published as "Extracts from the Records of the Province of Maine, in *Collections of the Massachusetts Historical Society for the year 1792* (Vol. I: Boston, 1792; reprinted 1806), pp. 101–104.

2. Collections of the Maine Historical Society. Portland, 1831–

Extracts from the Records in the County of York are published in Vol. 1, pp. 269–286. Vol 1 was reprinted with corrections and additions (William Willis, editor) at Portland in 1865. In the Appendix thereof docu-

ments in *Cleeves* v. *Winter*, from the record of a court held at Saco in 1640, are printed at pp. 532–542.

3. **Documentary History of the State of Maine.**
Maine Historical Society, *Collections* (*Second Series*). Portland, 1869–1916.

This 24-volume set contains a considerable body of materials relevant to American legal history. A few of the "cases" are listed below, but a complete enumeration of all relevant documents is here impracticable, and recourse must be had to the indexes (largely of names) and to the chronological tables of contents. These latter offer a concise one-line description of the items published in each volume.

The Trelawny Papers [vol. 3 of the *Doc. Hist.*] (edited by James Phinney Baxter)

Cleeve v. *Winter* (1640), pp. 208–214, 225–242, 260–266, 269–272.
Mackworth v. *Winter* (1641), pp. 266–269.

The Baxter Manuscripts [vols. 4–6, 9–24 of the *Doc. Hist.*] (edited by James Phinney Baxter)

The case of Major William Phillips, at a county court, August 26, 1668, in vol. 6, p. 29.
Execution, and Return, in *Mason* v. *Rishworth* (1678), *ibid.*, p. 204.
Start v. *Griffin* (1686), *ibid.*, pp. 216–218.
Hodgkins v. *Curtis and Askins* (1781–1785), vol. 20, pp. 439–463.

4. **Maine Wills, 1640–1760.**
Compiled and edited with notes by William Mitchell Sargent. Portland: Brown, Thurston & Company, 1887. xii + 953 pp.

5. **The Probate Records of Lincoln County, Maine, 1760–1800.**
Compiled and edited for the Maine Genealogical Society, by William Davis Patterson. Portland: Printed for the Society, 1895. 368 + 53 pp. (index)

6. **York Deeds, 1641–1735.**
Portland, J. T. Hull [etc.], 1887–1896; [Bethel, Maine] 1903–1908.

Book 1	1642–1665	640 pp.	(1887)
Book 2	1665–1676	772 pp.	(1887)
Book 3	1676–1683	683 pp.	(1888)
Book 4	1683–1700	692 pp.	(1888)
Book 5	1680–1698	522 pp.	(1889)
Book 6	1686–1703	730 pp.	(1889)
Book 7	1704–1713	876 pp.	(1892)
Book 8	1713–1717	830 pp.	(1892)
Book 9	1718–1719	872 pp.	(1894)
Book 10	1719–1722	909 pp.	(1894)

Book 11	1722–1725	1093 pp.	(1896)
Book 12 (1)	1726–1727	696 pp.	(1903)
Book 12 (2)	1727–1728	677 pp.	(1904)
Book 13	1728–1730	1013 pp.	(1904)
Book 14	1729–1732	898 pp.	(1907)
Book 15	1733–1735	909 pp.	(1907)
Book 16	1733–1735	982 pp.	(1908)

"[Vol. 5] embraces two distinct parts: Part I. the earlier, was opened by Edward Rishworth, April 6, 1680 . . . with a record of a Court of Sessions of the Peace . . .; he continued his entries till July 7, 1686; . . . John Wincoll being chosen Clerk of the Court, December 20, 1689, filled in one entry, July 29, 1690, and continued the records till October 5, 1694. . . . Part II, pages 1–36 were kept by John Wincoll as Clerk of the Inferior Court of Common Pleas and of the Court of Quarter Sessions; and pp. 40–127 up to April 10, 1699 by Joseph Hammond as incumbent of the same offices . . ." (*Preface,* vol. 5, pp. 5–6)

Massachusetts

1. **Records of the Colony of New Plymouth in New England.** Printed by order of the Legislature of the Commonwealth of Massachusetts. Edited by Nathaniel B. Shurtleff, M.D. [vols. 1–8] and David Pulsifer [vols. 9–12]. . . . Boston: From the press of William White, Printer to the Commonwealth, 1855–1861. 31 cm.

Vol. 1	Court Orders, 1633–1640	xv + 190 pp.
Vol. 2	Court Orders, 1641–1651	vii + 202 pp.
Vol. 3	Court Orders, 1651–1661	vii + 250 pp.
Vol. 4	Court Orders, 1661–1668	vii + 218 pp.
Vol. 5	Court Orders, 1668–1678	vii + 315 pp.
Vol. 6	Court Orders, 1678–1691	vii + 300 pp.
Vol. 7	Judicial Acts, 1636–1692	vii + 339 pp.
Vol. 8	Miscellaneous Records, 1633–1689	vii + 283 pp.
Vol. 9	Acts of the Commissioners of the United Colonies of New England (Vol. I: 1643–1651)	xxii + 237 pp.
Vol. 10	Acts of the Commissioners of the United Colonies of New England (Vol. II: 1653–1679)	xiii + 492 pp.
Vol. 11	Laws, 1623–1682	xii + 274 pp.
Vol. 12	Deeds, &c., 1620–1651	vii + 264 pp.

Each volume has its own index, chiefly of names, with some subject entries. Materials primarily relevant to this bibliography are mainly concentrated in vol. 7.

2. Records of the Governor and Company of the Massachusetts Bay in New England.
Printed by order of the Legislature. Edited by Nathaniel B. Shurtleff, M.D. Boston: From the press of William White, Printer to the Commonwealth, 1853–1854. 31 cm.

Vol. 1	1628–1641	xv + 479 pp.
Vol. 2	1642–1649	vii + 344 pp.
Vol. 3	1644–1657	xiii + 510 pp.
Vol. 4 (1)	1650–1660	v + 518 pp.
Vol. 4 (2)	1661–1674	v + 647 pp.
Vol. 5	1674–1686	v + 615 pp.

"Additions made in the second printed edition of the Records of Massachusetts, and not to be found in the first editions" are noted and supplied by William H. Whitmore, in his *Bibliographical Sketch of the Laws of the Massachusetts Colony from 1630 to 1686* (Boston: Rockwell & Churchill, 1890), at pp. xix–xxiv.
"Records of the Court of Assistants . . . from October 28, 1641, through March 5, 1643–44" are published in Whitmore, *op. cit.*, at pp. xxv–xliii.
The *Bibliographical Sketch* also appears in Whitmore, *The Colonial Laws of Massachusetts, reprinted from the Edition of 1672, with the Supplements through 1686* . . . (Boston: Rockwell & Churchill, 1890).

3. Records of the Court of Assistants of the Colony of the Massachusetts Bay, 1630–1692.
Printed under the supervision of John Noble, Clerk of the Supreme Judicial Court. Boston, 1901–1928.

Vol. 1	1673–1692	xviii + 588 pp.	(1901)
Vol. 2	1630–1644	xii + 289 pp.	(1904)
Vol. 3	1642–1673	viii + 306 pp.	(1928)

Vol. 3 was printed under the supervision of John F. Cronin, Clerk of the Supreme Judicial Court. This volume attempts "so far as accessible material allows, to fill the gap between 1643 and 1673, a period of thirty years during which no continuous or consecutive record is to be found, and to reproduce the doings of the Court, so far as may be possible, by a careful and thorough investigation which has been made in every quarter where anything bearing upon the matter was likely to be found. It is designed to give all copies of its records during this period between 1643 and 1673, which could be found either in the Suffolk Court Files, where many have been preserved, in the State Archives, among the files of courts in any of the other older counties of the Commonwealth, or in any record office within or without the Commonwealth, or that could be obtained from contemporaneous history, or any other authoritative source, — all to be brought together and arranged chronologically." [*Preface*, vol. I, p. xii]
Each volume has its separate index of subjects and names.

4. The Acts and Resolves, Public and Private, of the Province of

the Massachusetts Bay . . . with historical and explanatory notes, and an appendix. Boston, 1689–1922. 27 cm.

Vol. 1	Province Laws, 1692–1714	904 pp.	(1869)
Vol. 2	Province Laws, 1715–1742	1187 pp.	(1874)
Vol. 3	Province Laws, 1742–1757	1175 pp.	(1878)
Vol. 4	Province Laws, 1757–1768	1182 pp.	(1881)
Vol. 5	Province Laws, 1769–1780	1631 pp.	(1886)
Vol. 6	Private Acts, 1692–1780	245 pp.	(1896)
Vol. 7	Resolves, 1692–1702	851 pp.	(1892)
Vol. 8	Resolves, 1703–1707	931 pp.	(1895)
Vol. 9	Resolves, 1708–1720	756 pp.	(1902)
Vol. 10	Resolves, 1720–1726	819 pp.	(1902)
Vol. 11	Resolves, 1726–1734	888 pp.	(1903)
Vol. 12	Resolves, 1734–1741	833 pp.	(1904)
Vol. 13	Resolves, 1741–1746	786 pp.	(1905)
Vol. 14	Resolves, 1747–1753	824 pp.	(1907)
Vol. 15	Resolves, 1753–1756	873 pp.	(1908)
Vol. 16	Resolves, 1757–1760	858 pp.	(1909)
Vol. 17	Resolves, 1761–1764	709 pp.	(1910)
Vol. 18	Resolves, 1765–1774	899 pp.	(1912)
Vol. 19	Resolves, 1775–1776	1062 pp.	(1918)
Vol. 20	Resolves, 1777–1778	830 pp.	(1918)
Vol. 21	Resolves, 1779–1780	1012 pp.	(1922)

Each volume has its own full indexes of names and of subjects. The materials of primary interest to this bibliography are concentrated in the editorial notes of Abner C. Goodell, Jr. for the first two volumes of the *Resolves* (vols. 7–8). In these volumes the editor pursued a plan of annotation on a generous scale, reprinting copious excerpts from other bodies of official records related to the Resolves. The items particularly noticed below will afford some idea of Mr. Goodell's plan and efforts. It is to be much regretted that the responsible officials of the Commonwealth deemed it desirable, if not downright necessary, to adopt, for vols. 9–21, a very drastically curtailed policy of annotation.

Inferior Court of Quarter Sessions, Bristol County, January 14, 1695/6 (vol. 7, p. 492)

Gibson v. *Gove* (1695–96) (vol. 7, pp. 497–498)

Richardson v. *Fowl*, Inferior Court of Common Pleas, Middlesex County (1695) (vol. 7, pp. 498–500)

Turell v. *Dyer*, and *Cooke* v. *Paige*, Court of Pleas and Sessions of the Peace for Suffolk (1686) (vol. 7, pp. 508, 511)

A Court of Oyer and Terminer, at Northampton, October 21, 1696 (vol. 7, pp. 528–530)

Rice and Shepherd v. *Brown and Minot*, General Quarter Sessions of the Peace, at Charlestown, March 8, 1697/8 (vol. 7, pp. 586–587)

Rex v. *Chubb*, Superior Court of Judicature, Boston, April 27, 1697 (vol. 7, pp. 591–592)

Rex v. *Ray*, Superior Court of Judicature, Boston, November 7, 1699 (vol. 7, pp. 690–691)

Adam v. *Saffin*, Superior Court of Judicature, Boston, November 2, 1703 (vol. 8, pp. 269–271)

Cooper v. *Stratton & Story*, Superior Court in Suffolk County, 1702–1703 (vol. 8, pp. 295–298)

Gibson v. *Gove*, Middlesex County Court of Common Pleas, March 14, 1703/4 (vol. 8, pp. 309–310)

Keene v. *Shepard* (vol. 8, pp. 578–582, 698–699)

Report of the Justices of the Superior Court of Judicature, September 7, 1703 (vol. 8, pp. 320 et seq.)

5. [Lechford] Note-book kept by Thomas Lechford, Esq., lawyer, in Boston, Massachusetts Bay, from June 27, 1638, to July 29, 1641.
Edited by Edward Everett Hale, Jr. [and others], for the American Antiquarian Society. Cambridge: John Wilson and son. University Press. 1885. xxvii + 460 pp.

The *Note-book* contains full copies of many documents, contracts, letters, and pleadings. "It is the daily record of the work done in the office of the only professional lawyer in the colony." — *Introductory Note*, p. iii.

"A Sketch of the Life of Thomas Lechford," by J. Hammond Trumbull, is published at pp. vii–xxviii.

6. Essex County Court Records (1636–1641)
[Communicated by Abner C. Goodell] in *Historical Collections of the Essex Institute* (1865–1866).
Vol. 7: 17–19, 87–90, 129–132, 185–192, 233–240, 273–280
Vol. 8: 63–64, 123–128, 189–192

7. Abstract of the County Court Records of Essex County, Massachusetts, 1636–1693.
[Communicated by Perley Derby] in *The Salem Press Historical and Genealogical Record*, 2: 95–99, 190–192; *Putnam's Monthly Historical Magazine*, 1: 134–136; 5: 11–21, 195–201.

8. Essex County, Massachusetts, Court Records, Ipswich Term, 1659–1661.
In: *Genealogical Quarterly Magazine*, 1: 282–285; 2: 1–13, 128–148; 3: 26–42, 83–92, 161–166.

9. Essex County Court Records, June, 1677.
In: *Putnam's Monthly Historical Magazine*, 5: 202–204.

10. Records of the Court of Sessions, Essex County, Massachusetts (1698–1699).
In: *The Genealogical Magazine*, 4: 36–41.

Items nos. 26–30 are largely mere clerk's entries, with circumstances

of the cases being included in rather few of the entries. Nos. 26, 28 and 29 are unfinished items, as the periodical ceased publication. The genealogical interests of the editors or abstracters have doubtless influenced their editorial efforts.

11. Records and Files of the Quarterly Courts of Essex County, Massachusetts.
Salem, Massachusetts: Published by the Essex Institute, 1911–1921.

Vol. 1	1636–1656	viii + 502 pp.	(1911)
Vol. 2	1656–1662	xii + 506 pp.	(1912)
Vol. 3	1662–1667	ii + 534 pp.	(1913)
Vol. 4	1677–1671	iv + 513 pp.	(1914)
Vol. 5	1672–1674	ii + 501 pp.	(1916)
Vol. 6	1675–1678	ii + 517 pp.	(1917)
Vol. 7	1678–1680	ii + 489 pp.	(1919)
Vol. 8	1680–1683	iv + 502 pp.	(1921)

Each volume has a full index of names and subjects. Excerpts from the Commissioners Courts are published in the footnotes.

12. Probate Records of Essex County, Massachusetts (1635–1648).
In: *Historical Collections of the Essex Institute* (1914–1915), Vol. 50: 217–240, 313–336; 51: 57–80, 137–160.

13. The Probate Records of Essex County Massachusetts.
Salem, Massachusetts: Published by the Essex Institute, 1916–1920.

Vol. 1	1635–1664	xvi + 526 pp.	(1916)
Vol. 2	1665–1674	xii + 515 pp.	(1917)
Vol. 3	1675–1681	xiii + 490 pp.	(1920)

14. Essex County Notarial Records, 1697–1768.
In: *Historical Collections of the Essex Institute* (1905–1912):
Vol. 41: 183–192, 381–398; 42: 153–168, 245–256, 346–354; 43: 49–64, 223–232; 44: 89–92, 147–152, 325–331; 45: 90–96, 130–136, 212–220, 333–340; 46: 81–96, 114–128, 273–288, 325–332; 47: 124–132, 253–260, 333–340; 48: 72–78.

15. Kimball, James. *Gleanings from the Files of the Court of General Sessions of the Peace,* in *Historical Collections of the Essex Institute*:
Vol. 11: 74–80, 235–239; 13: 135–142.

16. Ipswich Court Records and Files, 1638–[1658?].
In: *Essex Antiquarian* (1904–1909):
Vol. 8: 1–13, 106–112; 9: 43–45, 124–134; 10: 32–37, 79–88, 170–179; 11: 22–28, 76–82, 118–136; 12: 116–121, 168–172; 13: 186–193.

Excerpts from a session in 1645 are printed in *Putnam's Monthly Historical Magazine*, 2: 173–176.

17. Old Norfolk County Records, 1648–1681.
In: *Essex Antiquarian* (1897–1909):
Vol. 1: 19–24, 49–50, 84–85, 113–117, 147–149, 178–181; 2: 11–15, 47–49, 81–84, 114–116, 148–150, 181–182; 3: 10–13, 42–46, 75–77, 108–110, 139–142, 171–174; 4: 9–12, 43–46, 77–79, 108–111, 138–143, 175; 5: 12–15, 46–48, 77–79, 133–138, 179–183; 6: 41–44, 83–86, 131–135, 171–180; 7: 30–36, 87–91, 136–139; 8: 38–42, 126–132, 175–179; 9: 137–141; 10: 89–92, 109–113; 11: 30–35, 172–177; 12: 81–86, 178–184; 13: 105–110.

Continued in: *Historical Collections of the Essex Institute* (1920–1934):
Vol. 56: 298–308; 57: 75–80, 155–160, 313–320; 58: 101–104, 234–244; 59: 90–96, 281–288; 60: 147–152, 229–232, 303–308; 61: 177–184, 353–360; 62: 12–16, 121–128, 298–304; 63: 45–48, 328–332; 64: 329–332; 65: 240–242, 448–450; 66: 182–184; 67: 170–176; 68: 88–96, 186–192, 359–370; 70: 147–167.

18. Old Norfolk County Deeds, 1671–1689.
Abstracted by Otis G. Hammond from the Record Book kept by Samuel Dalton of Hampton, N. H.
In: *Historical Collections of the Essex Institute*, vol. 49, pp. 23–36 (1913).

19. Salem Quarterly Court Records and Files, 1637–[1659?]
In: *Essex Antiquarian* (1899–1909):
Vol. 3: 81–86, 126–127, 156–158, 188–191; 4: 23–24, 58–63, 88–90, 123–126, 152–154, 184–187; 5: 26–29, 55–57, 81–91, 120–122, 169–173; 6: 24–30, 78–80, 107–111, 158–164; 7: 23–28, 81–84, 129–134, 176–183; 8: 82–88, 168–173; 9: 61–64, 154–159; 12: 66–77; 13: 28–34, 88–93.

20. Suffolk County Court, 1644–1651. Notarial Records of William Aspinwall, Recorder of the Court, Nov. 13, 1644 until October 14/23, 1651. Boston Records, vol. 32 (1903). x + 455 pp.
Copies of documents, accounts and inventories. The index is chiefly of names.

21. Records of the Suffolk County Court, 1671–1680.
Edited by Samuel Eliot Morison, with an Introduction by Zechariah Chafee, Jr. *In* Publications of the Colonial Society of Massachusetts, *Collections*, vols. 29–30. Boston: Published by the Society, 1933.

(Vol. 29: xciv + pp. 1–562; Vol. 30: viii + pp. 563–1233).

These volumes represent a high-water mark in the editing of American colonial legal records. The editor has supplemented the records with copious extracts from the relevant file papers, and Professor Chafee has contributed a valuable introductory essay. There is a most ample general index of names and subjects, and a separate table of references to the *General Laws and Liberties*. Absolutely definitive for the court and period covered.

22. **Abstract and Index of the Records of the Inferiour Court of Pleas (Suffolk County Court) Held at Boston, 1680–1698.** Boston: Historical Records Survey, 1940. iii + 224 pp. Mimeographed.

23. **Suffolk Deeds, 1640–1688.**
Boston: Rockwell & Churchill, City Printers, 1880–1906.

Liber 1	1640–1653	824 pp.	(1880)
Liber 2	1654–1656	viii + 431 pp.	(1883)
Liber 3	1656–1662?	viii + 848 pp.	(1885)
Liber 4	1661–1664?	vii + 622 pp.	(1888)
Liber 5	1665–1668/9	vi + 627 pp.	(1890)
Liber 6	1668–1672	554 pp.	(1892)
Liber 7	1669–1672	575 pp.	(1894)
Liber 8	1672–1674	711 pp.	(1896)
Liber 9	1674–1676	861 pp.	(1897)
Liber 10	1676–1678	667 pp.	(1899)
Liber 11	1678–1680	854 pp.	(1900)
Liber 12	1680–1683	1083 pp.	(1902)
Liber 13	1683–1686	1173 pp.	(1903)
Liber 14	1686–1688	677 pp.	(1906)

24. **Slafter, Edmund F. John Checkley; or the Evolution of Religious Tolerance in Massachusetts Bay.** 2 vols. Boston: Published by the Prince Society, 1897.

The presentment of Checkley for libel, his speech at the trial, the argument of his counsel in arrest of judgment, and other papers from the proceedings in the Court of General Sessions of the Peace and before the Supreme Court in Boston, July–November, 1724, are printed in vol. 2, pp. 1–50.

25. **Records of the Court of General Sessions of the Peace for the County of Worcester, Massachusetts, from 1731 to 1737.** Edited by Franklin P. Rice. Worcester, Massachusetts: The Worcester Society of Antiquity, 1882. 197 pp. (Vol. 5 of its *Collections*).

A brief editorial introduction reprints the act incorporating Worcester County and establishing courts therein. There are no arguments of

counsel, nor are there formal court "opinions". The index, largely of names, has some useful subject entries.

26. Records of the Court of Nathaniel Harris, One of His Majesty's Justices of the Peace within and for the County of Middlesex holden at Watertown from 1734 to 1761. Together with a paper by F. E. Crawford read before the Historical Society of Watertown, November 14, 1893. 135 pp. [1938?]

Clerk's entries, but the circumstances in these small causes are sometimes set forth in useful detail. The index is of names only.

27. [Quincy] Reports of Cases Argued and Adjudged in the Superior Court of Judicature of the Province of Massachusetts Bay, Between 1761 and 1772. By Josiah Quincy, Jr. Printed from his original MSS. in the possession of his son, Josiah Quincy, and edited by his great-grandson Samuel M. Quincy. With an appendix upon the Writs of Assistance. Boston: Little, Brown & Company, 1865. vii + 606 pp.

28. [Bradford] History of Plymouth Plantation, 1620–1647. By William Bradford. In two volumes. Boston: Published for The Massachusetts Historical Society by Houghton Mifflin Company, 1912.

Although there are no "court records" (in the narrow sense of the term) to be found in Bradford, there are several "cases", *e.g.*, the affair concerning John Oldham and John Lyford (1624–25), I, 380–403, 413–419; the cases of Arthur Peach, Thomas Jackson, and Richard Stinnings, for murder and robbery (1638), II, 263–268; assorted criminal cases, and the "opinions" of the elders concerning certain legal questions therein involved (1642), II, 308–330.

29. [Winthrop] The History of New England from 1630 to 1649. By John Winthrop, Esq. . . . From his original MSS., with Notes . . . by James Savage. A new edition, with additions and corrections by the former editor. 2 vols. Boston: Little, Brown and Company, 1853.

Although there are no "court records" (in the narrow sense of the term) in Governor Winthrop's volumes, there are several "cases," among which may be instanced those of John Williams and William Schooler, murderers hanged at Boston in 1637 (I, *241–*243); the case of Nathaniel Eaton, schoolmaster, in 1639 (I, *309–*312); the case of Marmaduke Percy, arraigned for the death of his apprentice, in 1639 (I, *319); assorted cases of rape, and opinions similar to those in Bradford's *History* concerning confessions in capital causes, in 1641 (II, *45, *47); the case of *Dudley* v. *Howe* (title to a mill), in 1641 (II, *50–*51); the affair of Goody Sherman's pig, and its sequelae, in 1642–1643 (II, *69–*72, *115–

*119); *Lady La Tour* v. *Bayley,* concerning a charter-party, in 1644 (II, *198–*202, *247–*248); the matter of Anthony Eames at Hingham, in 1645 (II, *221–*233); a case of adultery, in 1645 (II, *249–*250); the matter of Hubbard, at Hingham, in 1646 (II, *255–*256; *Cleaves* v. *Jocelin,* in 1646 (II, *256–*257).

30. **Morris, Henry. Early History of Springfield.** An address delivered October 16, 1875 . . . Springfield: F. W. Morris, 1876.

The first lawsuit in Springfield, *Woodcoke* v. *Cable,* on November 14, 1639, recorded in the notebook of William Pynchon, Magistrate, is printed as Appendix B, at p. 55.

31. **[Hutchinson] The History of the Colony and Province of Massachusetts-Bay.** By Thomas Hutchinson. Edited from the author's own copies of volumes I and II and his MSS. of volume III, with a memoir and additional notes, by Lawrence Shaw Mayo. Cambridge: Harvard University Press, 1936.

"The Examination of Mrs. Ann Hutchinson at the Court at Newtown," November, 1637, is printed as Appendix II to volume 2, pp. 366–391. A number of interesting documents (testimony, confessions, etc.) from the witchcraft proceedings after 1692 are preserved in volume 2, pp. 19–47.

32. **[Hutchinson] A Collection of Original Papers Relative to the History of the Colony of Massachusetts-Bay.** By Thomas Hutchinson. Boston, New England: Printed by Thomas & John Fleet, 1769.
Reissued by the Prince Society, in its *Publications.* Printed for the Society by Joel Munsell, at Albany, New York, 1865. 2 vols.

The opinion of Samuel Symonds, Assistant, in *Giddings* v. *Brown,* Essex County Court, 1657, is printed in volume 2, pp. 1–25.

33. **Chamberlain, Mellen. A Documentary History of Chelsea . . .** 1624–1824, collected and arranged, with notes . . . 2 vols. Boston: Printed for the Massachusetts Historical Society, 1908.

Both volumes include many appendices containing copious selections of unpublished documents from the courts of the Colony and the Province, relating to the controversies stemming from the will of Governor Richard Bellingham.

34. **Winthrop Papers.** The Massachusetts Historical Society, 1929–

Vol. 1	1498–1628	xxxii + 456 pp.	(1929)
Vol. 2	1623–1630	xxvi + 367 pp.	(1931)
Vol. 3	1631–1637	xl + 544 pp.	(1943)
Vol. 4	1638–1644	xl + 531 pp.	(1944)
Vol. 5	1645–1649	xl + 409 pp.	(1947)

35. The Andros Tracts: Being a collection of pamphlets and official papers issued during the period between the overthrow of the Andros government and the establishment of the second charter of Massachusetts . . . with notes and memoir of Sir Edmund Andros, [etc.] by William H. Whitmore. 3 vols Boston: Published by the Prince Society, 1868–1874.

36. Collections of the Massachusetts Historical Society. 1792–

First Series:

Law Cases, Supreme Judicial Court, Concord, Middlesex, 1795, are in vol. 5, pp. 45–52 (1798).

The opinion in *Morse* v. *Reid,* United States Circuit Court, Eastern Circuit of New York, April 3, 1798, is in vol. 5, pp. 123–124. [Cf. *Fed. Cas.* ‡9,860].

Fourth Series:

Randolph v. *Mather* (1687) is published in vol. 8, pp. 792–704.

Fifth Series:

The brief of Levi Lincoln in a slave case tried in 1781 is printed in vol. 3, pp. 438–442.

Records in re *Estate of John White* (1684), from the *Trumbull Papers,* are published in vol. 9, pp. 123–140.

37. Publications of the Colonial Society of Massachusetts. 1895–

Davis, Andrew McFarland, "The case of *Frost* v. *Leighton,*" in *Publications* (Transactions 1895–1897), vol. 3, pp. 246–264 (1900).

Noble, John, "Notes on the Libel Suit of *Knowles* v. *Douglass* in the Superior Court of Judicature, 1748 and 1749," *ibid.,* pp. 213–239, 405.

Noble, John, "The case of Maria in the Court of Assistants in 1681," in *Publications* (Transactions 1899–1900), vol. 6, pp. 323–335 (1904).

Republishes documents from the Suffolk Court files.

Noble, John, "A few Notes on Admiralty Jurisdiction in the Colony and in the Province of the Massachusetts Bay," in *Publications* (Transactions 1902–1904), vol. 8, pp. 150–185 (1906).

At courts of Admiralty held at Boston before the Hon. John Menzies, Esq., February 25, 1718, July 11, 1719, March 29, 1720, and November 10, 1721; at Barnstable, February 4, 1720.

38. Jones, Matt Bushnell, *Thomas Maule, the Salem Quaker, and Free Speech in Massachusetts Bay.*

In: Historical Collections of the Essex Institute (1936), vol. 72, pp. 1–42.

Offers a circumstantial account of several court cases in which Maule was concerned, with excerpts from, and references to, manuscript records of the Suffolk County Court and the Records of the Superior Court of Judicature of the Massachusetts-Bay, 1686–1700.

39. Toppan, Robert N. Edward Randolph; including his letters and official papers . . . 1676–1703. 5 vols. Boston: Published by the Prince Society, 1898–1899.

From the corpus of official papers here printed, the following items may be instanced, as having particular relevance to the subject of this bibliography:

Libel of Randolph against the ship Expedition, December 24, 1680 (vol. 3, p. 87)

Deposition of Randolph against Nowell, May 2, 1682 (vol. 3, p. 129)

William Glanvile's letter of attorney to Randolph, August 31, 1687 (vol. 4, pp. 169–170)

Proceedings against Wise and others of Ipswich for misdemeanors, October, 1687 (vol 4, pp. 171–182)

Randolph's "Breefe in the case betwixt E. R. and I[ncrease M[ather]" (vol. 4, pp. 193–194)

Papers in the trial on the seizure of the brigantine Dolphin, in Chester County, Pennsylvania, August 17, 1696 (vol 5, pp. 107–116)

New Hampshire

1. Documents and Records Relating to the Province, [State and Towns] of New Hampshire, from the earliest period of its settlement . . . Compiled and edited by Nathaniel Bouton (vols. 1–10), Isaac Weare Hammond (vols. 11–19), Albert Stillman Batchellor (vols. 20–31), Henry Harrison Metcalf (vols. 32–33), and Otis Grant Hammond (vols. 34–). Concord [Manchester, Nashua, etc.], 1867–

Vol. 1	Provincial Papers, 1623–1686.	xii + 629 pp. (1867)
Vol. 2	Provincial Papers, 1686–1722 (Part 1).	vi + 764 pp. (1868)
Vol. 3	Provincial Papers, 1692–1722 (Part 2).	viii + 853 pp. (1869)
Vol. 4	Provincial Papers, 1722–1737.	viii + 891 pp. (1870)
Vol. 5	Provincial Papers, 1738–1749.	viii + 962 pp. (1871)
Vol. 6	Provincial Papers, 1749–1763	xii + 929 pp. (1872)
Vol. 7	Provincial Papers, 1764–1776.	xxii + 799 pp. (1873)
Vol. 8	State Papers, 1776–1783	xxviii + 1006 pp. (1874)

Vol. 9 Town Papers, 1638–1784 xli + 939 pp. (1875)
Vol. 10 Provincial and State Papers, 1749–1792. xxviii + 719 pp. (1877)
Vol. 11 Documents relating to Towns in New Hampshire, A–F inclusive, [1680–1800]. xxx + 812 pp. (1882)
Gilmanton to New Ipswich, [1647–1800]. xxxii + 854 pp. (1883)
Vol. 13 Documents relating to Towns in New Hampshire, New London to Wolfeborough. xxxiv + 858 pp. (1884)
[Vols. 14–16 contain the Rolls of the Soldiers in the Revolutionary War, 1775–1782].
Vol. 17 War Rolls, vol. 4. Part 1: Rolls and Documents relating to Soldiers in the Revolutionary War. Part 2: Miscellaneous Provincial Papers, from 1629 to 1725 [pp. 475–762]. xxiv + 819 pp. (1889)
Vol. 18 Miscellaneous Provincial and State Papers, 1725–1800. xxxii + 982 pp. (1890)
Vol. 19 Provincial Papers, 1679–1764. 760 pp. (1891)
Vol. 20 Early State Papers, 1784–1787. 930 pp. (1891)
Vol. 21 Early State Papers, 1787–1790. viii + 930 pp. (1892)
Vol. 22 Early State Papers, 1790–1793. viii + 923 pp. (1893)
Vol. 23 A List of Documents in the Public Record Office in London, England, relating to the Province of New Hampshire . . . by B. F. Stevens. 557 pp. (1893)
Vol. 24 Town Charters, vol. 1. xvi + 973 pp. (1894)
Vol. 25 Town Charters, vol. 2. xii + 835 pp. (1895)
Vol. 26 Town Charters, vol. 3. xvi + 792 pp. (1895)
Vol. 27 Town Charters, vol. 4. [*Masonian Papers*, vol. 1] x + 588 pp. (1896)
Vol. 28 Town Charters, vol. 5. [*Masonian Papers*, vol. 2] x + 532 pp. (1896)
Vol. 29 Town Charters, vol. 6. [*Masonian Papers*, vol. 3] xv + 678 pp. (1896)
Vol. 30 Miscellaneous Revolutionary Documents of New Hampshire. xvii + 658 pp. (1910)

Materials relevant to this bibliography are scattered throughout this vast mass of published archives. The following are examples of the sort of items to be found therein:

Papers in *Mason* v. *Wiggin and Nutter*, for assault, 1685, are in vol. 1, pp. 578–582.

Allen v. *Waldron*, a Trial before the Superior Court of Judicature of the Province of New Hampshire, August 12, 1707, is in vol. 2, pp. 512–562.

Notes of his Majesty's Court of Generall Sessions for the Peace Holden at Portsmouth September 4, 1753, December 4, 1753, and June 4, 1754, are printed in vol. 12, pp. 718–720.

"[A Case of Assault, 1731]" is in vol. 13, p. 10.

Livius v. *Moffat* at the Court of Appeals, is published in vol. 18, pp. 639–641.

Memorials from the Justices of the Superior Court, 1772 and 1774, are in *ibid.*, pp. 641–642, 654–655.

"Minutes of Court 1776–1780" are published, *ibid.*, pp. 707–709.

Permission to withdraw papers in *Hern* v. *Dow*, August 13, 1700, Superior Court of Judicature, is printed in vol. 29, p. 158.

The judgment of the Superior Court of Judicature in *Buswell* v. *Ordway*, June 5, 1754, appears *ibid.*, p. 301.

2. **Probate Records of the Province of New Hampshire, 1635–1771.**
[Vols. 31–39 of the *State Papers* series].

Vol. 1	1635–1717	xliii + 874 pp.	(1907)
Vol. 2	1718–1740	xxviii + 876 pp.	(1914)
Vol. 3	1741–1749	xxvii + 815 pp.	(1915)
Vol. 4	1750–1753	xv + 564 pp.	(1933)
Vol. 5	1754–1756	xiii + 613 pp.	(1936)
Vol. 6	1757–1760	xvii + 641 pp.	(1938)
Vol. 7	1760–1763	xv + 513 pp.	(1939)
Vol. 8	1764–1767	xiii + 483 pp.	(1940)
Vol. 9	1767–1771	xxix + 527 pp.	(1941)

3. **New Hampshire Court Records, 1640–**
[Vols. 40– of the *State Papers* series].
Vol. 1 (579 pp.; 1943) Province Deeds Vol. I, 1640–1653 (pp. 1–103); Province Deeds Vol. 2, 1654–1673 (pp. 105–300); Province Deeds Vol. 5, 1674–1692 (pp. 301–421); Province Deeds Vol. A, 1673–1681 (pp. 423–450); Court Papers, 1652–1668 (pp. 451–545)

4. **Collections fo the New Hampshire Historical Society, 1824–**
Province Records and Court Papers from 1680 to 1892 are printed in vol. 8, pp. 1–303 (Concord, 1866).
Papers in *Livius* v. *Gov. John Wentworth* (1772), are printed in vol. 9, pp. 304–363 (Concord, 1889).

Rhode Island

1. **Records of the Colony of Rhode Island and Providence Plantations, in New England.**
Printed by order of the Legislature. Transcribed and edited by John Russell Bartlett, Secretary of State. Providence, 1856–1865.

Vol. 1	1636–1663	x + 549 pp.	(1856)
Vol. 2	1664–1677	iv + 609 pp.	(1857)
Vol. 3	1678–1706	vii + 595 pp.	(1858)
Vol. 4	1707–1740	iv + 622 pp.	(1859)

Vol. 5	1741–1756	iv + 594 pp.	(1860)
Vol. 6	1757–1769	iv + 629 pp.	(1861)
Vol. 7	1770–1776	iv + 643 pp.	(1862)
Vol. 8	1776–1779	ii + 661 pp.	(1863)
Vol. 9	1780–1783	ii + 763 pp.	(1864)
Vol. 10	1784–1792	ii + 527 pp.	(1865)

Materials relevant to this bibliography are scattered throughout this corpus of basic records. Each volume has its own index, the basic approach of which is by names, with rather full descriptive entries, under each, although there are some subject entries in the primary alphabet.

2. **Documentary History of Rhode Island.**
Edited by Howard Millar Chapin. Providence: Preston & Rounds Company, 1916–1919.

Vol. 1 History of the Towns of Providence and Warwick to 1649, and of the Colony to 1647. x + 278 pp.
Vol. 2 History of the Towns of Portsmouth and Newport to 1647, and the court records of Aquidneck. x + 192 pp.

Aquidneck Quarter Court Records (1641–1646) are printed in vol. 2, pp. 132–165. The entries are of varying fullness; the index is of names only.

3. **Rhode Island Court Records.** Providence: Rhode Island Historical Society, 1920–1922.

Vol. 1 Records of the Court of Trials of the Colony of Providence Plantations, 1647–1662. 80 + viii pp.
Vol. 2 Records of the Court of Trials of the Colony of Providence Plantations, 1662–1670. 101 + xi pp.

No arguments of counsel, or court opinions; the indexes are of names only.

4. **The Early Records of the Town of Portsmouth.**
Edited in accordance with a resolution of the General Assembly, by [Clarence S. Brigham] the Librarian of the Rhode Island Historical Society. Providence: E. L. Freeman & Sons, State Printers, 1901. xii + 462 pp.

5. **The Early Records of the Town of Providence.**
Printed under authority of the City Council of Providence by . . . [the] Record Commissioners. Providence: Snow & Farnham, City Printers, 1892–1915.

Vol. 1	viii + 139 pp.	(1892)
Vol. 2	xxii + 220 pp.	(1893)
Vol. 3	xvi + 296 pp.	(1893)
Vol. 4	vi + 298 pp.	(1893)
Vol. 5	viii + 395 pp.	(1894)

Vol. 6	viii + 328 pp.	(1894)
Vol. 7	viii + 264 pp.	(1894)
Vol. 8	viii + 212 pp.	(1895)
Vol. 9	viii + 234 pp.	(1895)
Vol. 10	viii + 157 pp.	(1896)
Vol. 11	xviii + 216 pp.	(1896)
Vol. 12	vi + 115 pp.	(1897)
Vol. 13	x + 83 pp.	(1897)
Vol. 14	vi + 395 pp.	(1899)
Vol. 15	x + 300 pp.	(1899)
Vol. 16	vi + 534 pp.	(1901)
Vol. 17	x + 375 pp.	(1903)
Vol. 18	xxiv + 433 pp.	(1904)
Vol. 19	vi + 440 pp.	(1906)
Vol. 20	viii + 549 pp.	(1909)
Vol. 21	vi + 127 pp.	(1915)

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Vol. 14 is Deed Book No. 1, 1664–1705. Vol. 15 is Providence Town Papers, 1639–April, 1682. Vol. 16 is Will Book No. 2, September 12, 1716 to January 7, 1728/9. Vol. 17 contains Providence Town Papers, April, 1682 to March, 1722. Vol. 20 is Deed Book No. 2, 1705–1711.

6. The Early Records of the Town of Warwick.

Edited in accordance with a resolution of the General Assembly by [Howard Millar Chapin] the Librarian of the Rhode Island Historical Society. Providence, E. A. Johnson Company, 1926. vi + 362 pp.

Brief entries of, and references to, disputes and controversies in the town, will be found scattered through these records. There are three quite full indexes: subjects, persons, and Indians.

7. Records of the Court of Trials of the Town of Warwick, Rhode Island, 1659–1674.

Transcribed by Helen Capwell. From original records in the Library of George L. Shepley. Providence: The Shepley Press, 1922. ii + 15 pp.

8. Records of the Vice-Admiralty Court of Rhode Island, 1716–1752.

Edited by Dorothy S. Towle. With an Introduction by Charles McLean Andrews. Washington: The American Historical Association, 1936. [*American Legal Records,* Vol. 2] ii + 595 pp.

The essay by Andrews discusses vice-admiralty courts in the colonies, and the editor's introduction treats of the Rhode Island Vice-Admiralty Court. There is a table of cases, and an index, largely of names, with some subject entries.

9. **Chafee,** Zechariah, Jr. *Records of the Rhode Island Court of Equity, 1741–1743.*
In Colonial Society of Massachusetts, *Publications,* vol. 35 (Transactions, 1942–1946), pp. 91–118 (1951).

A "preliminary report" of a manuscript now in the Rhode Island State Law Library; describes the general nature of the work of the court, and presents sixteen cases with interesting facts. The Littleton–Griswold Fund has in hand an edition of this manuscript for its *American Legal Records* series.

10. **Wiener,** Frederick Bernays. *Notes on the Rhode Island Admiralty, 1727–1790.* 46 *Harv. L. Rev.* 44–90 (November, 1932)

Appendix A (Cases), pp. 72–83. Appendix B (Forms), pp. 83–90.

Vermont

1. **Vermont State Papers;** being a collection of records and documents, connected with the assumption and establishment of government by the people of Vermont; . . . compiled and published by William Slade, Jun. Secretary of State. Middlebury: J. W. Copeland, Printer. 1823. xx + 9–568 pp.

Records of the Supreme Court, 1778–1782 are published at pp. 549–556. Mr. Slade appends this footnote: "The cases embraced in the records here given, have been *selected* from the *earliest* records of the Supreme Court."

A "List of Judges of the Supreme Court, 1778–1822" is printed at pp. 564–565.

Little more than clerk's entries, with no arguments of counsel or formal opinions by the court.

2. **[Chipman]** Reports and Dissertations. In two parts . . . by Nathaniel Chipman, Late Chief Justice. Rutland: Printed by Anthony Haswell, for the Author; 1793. 15½ cm. 296 pp.
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Part 1: Reports of cases determined in the Supreme Court of the State of Vermont, in the years 1789, 1790, and 1791.

Part 2: Dissertations on the Statute adopting the Common Law of England, the Statute of Conveyances, the Statute of Offsets, and on the Negotiability of Notes.

A second edition was published at Rutland, by Tuttle & Company, in 1871. 145 pp.

3. [Chipman] Reports of Cases Argued and Determined in the Supreme Court of the State of Vermont. Prepared and published in pursuance of a statute law of the state. By Daniel Chipman. Vol. I. Middlebury: Published by D. Chipman & Son. J. W. Copeland, *Printer*. 1824. 504 pp.

Cases from the period 1789–1797 are reported at pp. 37–139. A "List of Judges of the Supreme Court, from the year 1778 to the year 1824" is printed at pp. vi–vii.

4. Gloucester County Court Records, 1770–1774.
In: Vermont Historical Society, *Proceedings 1923–1925* (1926), pp. 141–192.

Mainly orders by the court; no arguments of counsel or opinions by the court.

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